

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CRAIG CUNNINGHAM,

Plaintiff,

v.

CHANNER LLC and JEROME DAVIS,

Defendants.

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Civil Action No. **3:17-546-L**

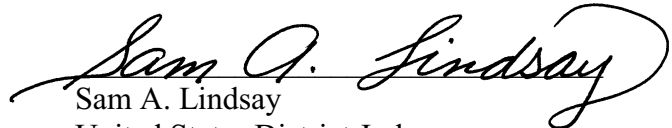
ORDER

On November 2, 2017, United States Magistrate Judge David L. Horan entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”), recommending that the court grant Plaintiff’s Motion to Nonsuit (Doc. 32), filed November 1, 2017, with respect to remaining Defendants Channer, LLC and Jerome Davis. In his motion Plaintiff requests to voluntarily dismiss without prejudice his claims against Defendants John Does 1-5; Channer, LLC; Jerome Davis; and National Debt Assistance. As noted by the magistrate judge, however, only Defendants Channer, LLC and Jerome Davis remain, as all other Defendants were previously dismissed as a result of Plaintiff’s prior motions to voluntarily dismiss the other Defendants, which were granted by the court. No objections to the Report were filed.

Having reviewed the pleadings, motion, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **grants in part and denies in part** Plaintiff’s Motion to Nonsuit (Doc. 32). The court **grants** Plaintiff’s Motion to Nonsuit with respect to Defendants Channer, LLC and Jerome Davis, who have yet to appear, and dismisses **without prejudice**

Plaintiff's claims against these Defendants under Federal Rule of Civil Procedure 41(a)(1)(A)(i). Plaintiff's motion is **denied** in all other respects. In light of Plaintiff's Motion to Nonsuit his claims against Jerome Davis, the court also **denies as moot** Plaintiff's Motions for Entry of Default and Default Judgment against Jerome Davis (Docs. 21, 23). Further, as no claims or Defendants remain, the clerk of the court is **directed** to close this action after entry of this order.

It is so ordered this 2nd day of April, 2018.


Sam A. Lindsay
United States District Judge